

1 first two steps, the recognition and the evaluation.

2 First of all, we recognize the exposures.
3 We take into account time factors. We take into
4 account exposure data. We take into account factors
5 such as dilution, distance from the process. We take
6 into account the percent of asbestos in the product.

7 For the case study I am going to talk
8 about this morning, typical exposure factors that I
9 used, and it would vary on a situation, obviously,
10 but if you make these exposure factors wide enough,
11 essentially you can make them wide enough to give
12 yourself some degree of confidence.

13 If you are covering a factor to take into
14 account the fact that you are not doing the work
15 yourself but you are in the immediate area, if you
16 let the factor go from 1 to 30 percent, you know, you
17 probably covered it unless you are working elbow to
18 elbow, or unless you are, you know, several hundred
19 yards away or several hundred feet away.

20 Time your other trades. That is going to
21 be very case specific. But, in the case I am talking
2 about today, 2 to 50 percent seemed to cover it.

3 Difference between the indoors and the
4 outdoors may be a factor of between 2 and 20. The
5 percent asbestos in the product from what I have seen

1 is generally -- has a linear dependence on what gets
2 into the air, all other factors being equal:

3 Exposure factors can have somewhat
4 narrower and alternate range values with specific
5 information, but oftentimes I wind up working with
6 ranges like this or some modification of this.

7 This is a tracer gas study that I did to
8 try to further take a look at the so-called bystander
9 factor, that is the factor that would be in the
10 workplace surrounding an individual involved in an
11 asbestos exposure. Used sulfur hexafluoride as a
12 tracer gas, and you can see that under very stagnant
13 conditions indoors, the surrounding environment, by
14 the time you get 25 feet away, is down to 1 or
15 2 percent of the continual release occurring.

16 We tried to simulate somebody scraping
17 asbestos, and we had a continual release as we moved
18 the hand back and forth, and we had monitoring points
19 set up in this building as indicated by the various
20 dots.

21 On the other hand if we have some directed
22 wind, indoor wind in this case -- and this was just a
23 different ventilation condition, different setup in
24 the building by turning on and off various
25 ventilation systems, you can see that the down wind

1 values, when you get about 10 feet away, are about
2 half of the primary exposure. When you get 35 feet
3 away, it can be 20 percent. When you get to be 75,
4 85 feet away, it can be something like 10 to
5 15 percent.

6 On the other hand, the upwind
7 concentrations are zero, and to the sides are zero,
8 so on the average you are still talking about, oh,
9 10 percent or so, or less in the same general work
10 space.

11 This has to be tempered by the fact that
12 if you are in a confined area you can have dust
13 buildup in the room, for example, on board ships in
14 other confined areas, and if you had a very vigorous
15 process, you simply can fill the space with fibers
16 and, therefore, we have to be conservative when
17 interpreting this data and that is why I use a wider
18 bystander exposure factor when I actually do these
19 estimations.

20 I want to get into the case history. This
21 was a pipefitter/plumber, he was born in 1933. He
22 developed lung cancer in 1999 at the age of 65. He
23 had some pleural plaques. He had a low degree of
24 interstitial fibrosis. He smoked from 1950 until
25 1979. He didn't smoke any Kent micronite filters

1 with crocidolite.

2 He was questioned in detail in nine
3 depositions and in trial testimony about his work
4 history. Coworker depositions were available also.

5 He worked as a pipefitter/plumber mostly
6 in larger urban commercial sites, 85 to 90 percent
7 new construction. What is the significance of that?
8 Well, if he is in new construction, he is not
9 removing pipe covering to any appreciable extent,
10 except in some instances tying in to existing systems
11 when he is building a new building as part of a
12 complex.

13 He was a hands-on apprentice when he
14 started. He became a mechanic. He worked his way up
15 becoming a foreman, a site superintendent. His
16 primary exposures lasted until about 1975 to 1980,
17 around 20 to 25 years of exposure.

18 There was information on 45 sites
19 evaluated through 1980. He had limited hands-on
20 asbestos disturbance. He was in the vicinity of pipe
21 insulation, fireproofing, and gaskets and had some
22 hands-on associated with these types of material
23 himself.

24 He installed asbestos cement piping using
25 non-power tools. He reported working frequently side

1 by side with asbestos pipe insulators; however, it
2 was often fiberglass materials. He reported working
3 in the vicinity of tapers and sanders, spray
4 application of fireproofing and joint compound mixing
5 and sanding.

6 I want to talk about the application of
7 the Monte Carlo simulation on this case history
8 briefly. Basically what Monte Carlo is, it allows
9 you to take several distributions, in this case there
10 you see the distribution for exposures associated
11 with dry mixing, you see the distribution associated
12 with sanding, for application for cleanup.

13 The Monte Carlo technique allows a random
14 number generator to generate values in association
15 with those distributions, and the process is
16 repeated, for example, 20,000 times. Equations are
17 set up to combine those exposures, taking into
18 account the percentage time for each of those dry
19 mixing, sanding, application, cleanup, and those
20 percentage times can be put in as a range as well,
21 and then taking into account the fact that some of
22 the time the taper/sander is just applying or not
23 being exposed, or you could take -- if the
24 taper/sander also puts up sheetrock, you could
25 essentially have a zero exposure for that activity.

1 The whole idea is the Monte Carlo method
2 allows you to combine these various distributions
3 into an overall distribution that you see on the
4 bottom of that chart, which would be indicative of a
5 typical or average time-weighted average for an
6 eight-hour day, assuming those distributions.

7 And you can see for the taper/sander a
8 1-to-5 fiber per cc range is useful with a central
9 tendency around 3 fibers per cc.

10 The assumptions that I used for the case
11 history were wider than I usually use in this example
12 because I wanted to be inclusive of additional IH
13 viewpoints. This happened to be involved in
14 litigation; and the Plaintiff's industrial hygienist
15 had higher ranges than what I usually use, and so I
16 said okay, let's not argue about this, let's just
17 make the ranges wide.

18 I also use wider than -- wider exposure
19 factor ranges for bystanders, et cetera, than what I
20 think is necessary, but I wanted to be inclusive.
21 And basically this is an illustration of a what-if
22 scenario, what if the exposures are this high. What
23 if the exposure factors are in this range. Or you
24 can use the technique to come up with a best
25 estimate.

1 And so it is very careful to find what you
2 are up to in the begin so that you can probably
3 interpret what the results mean.

4 I want to show you with 40 different
5 exposure events or potential exposure events, 45,
6 whatever it was. I can't show you all of the
7 assumptions that went into this, but I want to show
8 you a few just to give you a feeling for it.

9 For the duration, this is one of the
10 exposure events. We had a four to seven month. He
11 couldn't remember precisely, so he put in a range,
12 and we made the probability the same, represented by
13 that green rectangle.

14 For the percent time exposed, as a
15 bystander to insulation work, he had some descriptors
16 that he used in words but didn't have an exact
17 number. So we came up with a reasonable range of 10
18 to 50 percent, a factor of 5. For a bystander
19 factor, sometimes he was right in the same room,
20 right next to them, and other times he was at some
21 distance. Again, we could have let this go
22 essentially 0 to 50 percent, but it doesn't change
23 the result much, so we just let it go at 10 percent
24 to 50 percent.

25 The primary worker exposure, if you look

1 at the Cooper Balzer study for general commercial
2 sites, you get about an average of 3 fibers per cc in
3 the 1960s; on the other hand, there are alternative
4 studies out there, but we allowed the highest part of
5 the distribution to be a 3 fibers per cc, but we
6 allowed the range to go from 1 to 43 fibers per cc
7 using the triangular probability distribution that
8 you see at the bottom of the page there. Or bottom
9 of the slide.

10 Similarly for sheetrock tapers and
11 sanders, when he was in their presence, we use the
12 same time range. His words indicated a little less
13 time of exposure, so we used a range of 5 to 25
14 percent. We used a 10 to 50 percent bystander
15 factor. Probably too high. But again, we wanted to
16 be inclusive. And instead of the essentially 1 to 5
17 fiber per cc range that I showed you, we extended it
18 from .25 to 10 for the central with the highest part
19 of that at 3.

20 Similar for people, labor sweeping up, you
21 can see the data there. Removal of asbestos and
22 pipe/block insulation, sometimes he would do tie-in
23 work. In this case he did it for two days. Percent
24 time exposed during the day seemed to be about 5 to
25 10 percent.

1 He worked hands on with somebody else
2 doing this. Sometimes he did it and sometimes his
3 partner did it, so we used a bystander factor there
4 of 50 to 100 percent.

5 And for the primary worker exposure, there
6 can be a great deal of variability when you are
7 removing asbestos. Again using Cooper Balzer as the
8 most probable, we took 8, but we allowed the exposure
9 range to go from 1 to 97.

10 Scraping of fireproofing, Paik has an
11 article where he puts things in terms of geometric
12 means and geometric standard deviations, and he has
13 done this for essentially the eight-hour workday
14 rather than the short-term event. And you can see
15 what that distribution looks like graphically at the
16 bottom there, it ranges from about .05 to 2 fibers
17 per cc on a time-weighted average basis.

18 But essentially you can input into the
19 Monte Carlo, you know, a formula, a geometric mean, a
20 geometric standard deviation. You can input
21 triangular distributions or even probability
22 distributions as suggested by those rectangles.

23 So how did it turn out? Even using the
24 broad exposure ranges, when you make a lot of little
25 slices, you get a range that looks like this. And it

1 is really not as broad as you might think,
2 considering the broadness of some of the assumptions
3 that go into doing it. You can see the 95 percent
4 confidence interval. It is in blue. 2 and a half
5 percent of the data on each side of the distribution
6 is in red. And so 95 percent of the simulated data
7 points occur in the center as represented by the blue
8 lines.

9 We have roughly a factor of three between
10 the low and the high. We do the 95 percent
11 confidence interval.

12 How can the use of such wide input ranges
13 provide such a, I think, tight range. I think a
14 factor of three. I almost tried to make the ranges
15 wider so that the final result is broader. It is
16 almost embarrassingly too tight.

17 But what I found is that the use of many
18 exposure events per assessment, in essence, slicing
19 up the pie into many events effectively increases
20 end. It is the best analogy I can give you to try to
21 explain this, which reduces the standard deviation of
22 the mean total dose result.

23 Another factor is that many of the
24 exposure events do not significantly contribute to
25 the total dose, and that is almost the antithesis of

1 that first point, but one can determine what is doing
2 what by running a sensitivity analysis on the Monte
3 Carlo.

4 I think the basic idea here is that if you
5 have a lot of data, you are taking a mean, the
6 standard deviation of the mean gets reduced by the
7 square root of the number, measurements that go into
8 the mean or the so-called standard error concept.

9 To compare it, sometimes it is useful to
10 compare a one dose with another. For example, in the
11 previous talk there was the comparison of the gaskets
12 with the pipe insulation.

13 To cover the range of possibilities and to
14 complete the uncertainty analysis, we need to
15 essentially divide one range of values by another
16 range of values. The Monte Carlo technique is one
17 method to perform this type of analysis.

18 In this example, one of our clients, which
19 I will fictitiously call Acme, we came up with a
20 range for his products, he was actually a boiler
21 manufacturer, and you see the range up there. You
22 know, it is a very trivial exposure, it is down in
23 the background range, but it varied from close to
24 zero to about 005 or 006 fiber per cc years.

25 If we want to know what percentage or what

1 fraction of a lifetime exposure that represents, we
2 essentially have to divide that by the total lifetime
3 asbestos exposure. And the Monte Carlo technique
4 allows us to do that. What we can do is take the
5 Acme-related exposure, divide it by the lifetime
6 exposure, and come up with a ratio-to-lifetime
7 asbestos exposure, which you can see is running from
8 essentially 0 to about 7 parts in 10,000.

9 Uncertainty analysis is a very important
10 part of any kind of exposure assessment or risk
11 assessment. Wonder if they ask themselves does the
12 exposure assessment make sense. We can do
13 comparisons to other types of workers. For example,
14 for this pipefitter, if I started getting results
15 that were indicative of insulators I would say well,
16 it probably isn't making sense.

17 You can make simplified estimations.
18 Instead of cutting the pie into many pieces, you can
19 try to get a sense for the frequency, for the various
20 activities over a lifetime and come up with
21 simplified estimations, and you better get the same
22 results.

23 Is it consistent with what the literature
24 says about the occupation. There are some
25 estimations of pipefitters in the literature relative

1 to disease rates compared with insulators. And this
2 has been primarily for shipboard work. But that can
3 be viewed as a worst case.

4 There is a difference between variability
5 and accuracy. Even though I showed you the
6 variability, that variability is simply the
7 variability associated with the assumptions that I
8 made. It is not the variability from one person
9 doing the exposure assessment to another person doing
10 the exposure assessment.

11 And it shows variability, but the accuracy
12 of the analysis is only as good as my assumptions,
13 and so it is important to not think of the
14 variability that one determines as a full uncertainty
15 analysis. One is to think about both variability and
16 accuracy issues.

17 So it is important not to overstate the
18 utility of the confidence interval range that you
19 determine by this method, and at the same time it is
20 very useful, and I don't think it should be
21 understated either.

22 How good is it from an accuracy
23 standpoint. What I have done is before I started
24 doing Monte Carlo, I essentially do a minimum kind of
25 a mid range and a maximum. And where I had asbestos

1 body per gram information from pathologists, I tried
2 to correlate the two, and of course the problem is
3 that chrysotile exposures, the chrysotile fibers
4 don't persist in the lungs, the amosite fibers do,
5 and on top of that, all of us make asbestos bodies at
6 different rates, individual to individual.
7 Nevertheless, if you take the regression line through
8 the data, ignoring those two green points because
9 those are not my data, that was some other data.

10 (This concludes tape 1. Please go on to
11 Tape 2 for the continuation of this program.)

12 SPEAKER: Code number AIHce 02/Forum 244,
13 Part 2.

14 JIM RASMUSON: -- lines going from high to
15 low. And I think it does illustrate the utility of
16 working with ranges when coming up with this type of
17 work. Does that indicate accuracy? No, it indicates
18 correlation.

19 This is an example of retrospective
20 exposure assessments that I have done for dioxin, and
21 it didn't look this good until we averaged the
22 results from two different laboratories. The risk of
23 cancer from TCDD is using the retrospective exposure
24 assessment, primarily looking at the dermal
25 absorption pathway and taking into account body

1 weight, the sort of things you do for the EPA risk
2 assessment.

3 But is it accurate? There is variability.
4 The answer is well, it is accurate to a degree, but
5 when we look at -- when we determine the half life of
6 the decay of the dioxin in the body, we come up with
7 a three-year half life for this, and CDC has done
8 this on many more people and has come up with a
9 seven-year half life.

10 And so while we have tremendously good
11 correlation, except for one data point here, it isn't
12 perfectly accurate. And so one has to think about
13 precision, variability, accuracy in order to put your
14 data into perspective.

15 These are not single-valued estimations,
16 and one has to try to continually get at the idea of
17 what is my variability, what is my accuracy, how well
18 would my results compare with another industrial
19 hygienist doing the same type of work.

20 One of the interesting things that is
21 becoming more and more important is the difference in
22 fiber type. There is good workers on both sides of
23 this issue. Some would think that chrysotile is very
24 potent for mesothelioma. Many of the epidemiological
25 studies do not support this. And one possible

1 utility for the Monte Carlo analysis that I have
2 talked about is to do a fiber type analysis within an
3 exposure assessment, come up with dose percentage of
4 exposure.

5 In addition, the technique is useful for
6 specific situations, accidental releases. I have
7 used it relative to risk communication situations
8 involved with maintenance workers, that sort of
9 thing.

10 Thank you very much.

11 (Applause.)

12 FRED BOELTER: Thank you, Dr. Rasmuson.
13 The next speaker is Dr. Bill Dyson.

14 BILL DYSON: Well good morning. I have
15 been sitting about as long as you have and it felt
16 good to me to stand up, and so I thought you might
17 want to stand up for just a second. Stretch a little
18 bit.

19 I will continue to talk while you are
20 stretch, though, to tell you why I have chosen this
21 topic, which is just a little bit of an extension
22 beyond exposure reconstruction, and that is to talk
23 about mesothelioma cases.

24 What is at risk in this country today is
25 very simple to calculate. There are around one per

1 hundred thousand cases of mesothelioma is the rate,
2 and so that means that we have somewhere between 2500
3 and 3,000 cases occurring each year within the
4 country. These are -- what is at stake for each of
5 those cases is somewhere between 2 million and \$10
6 million, so if you multiply that out, and assume
7 that, say, 50 percent of them, or 40 percent, even,
8 are going to come to a legal setting where the claim
9 is that it is due to asbestos exposure, you are
10 talking about an industry somewhere between 2 and 12
11 billion dollars a year. So there is a great deal at
12 risk in talking about this.

13 Sorry, I have got to go back. And I don't
14 know how to go back. Okay, back where I should be.

15 What I want to talk about here is
16 attributable risk based on going a bit beyond just
17 the simple calculation of exposure dose. This is
18 applicable to mesothelioma. It is not -- it is
19 certainly not applicable to lung cancer or to
20 asbestosis from asbestos exposure.

21 The objective is to attribute the risk to
22 individual exposure sources and determine the
23 relative contribution of each of those sources to the
24 total risk that the individual might have.

25 Obviously if the mesothelioma is an

1 asbestos-related disease, then the total risk
2 necessary to cause the disease is the sum of the
3 individual risk attributable to those sources. And
4 the relative contribution is the ratio of the risk
5 from the individual sources to the total risk.

6 I only pushed it once.

7 The first cut at this is a risk assessment
8 based on exposure dose, and the equation or the
9 proportionality that we would use here is that it is
10 proportionate to the exposure intensity and the
11 duration of exposures. You have heard that several
12 times this morning.

13 This model for epidemiology does not fit
14 the data; however, if you use it, and it is necessary
15 to do this in each and every case, you can look and
16 see if the lowest cumulative doses at which
17 mesothelioma has been associated with asbestos
18 exposure, is reached. And in my estimation, in
19 epidemiological studies, that is somewhere in the
20 range of 1 to 5 fiber years per cc.

21 I am going to try. There we go.

22 The particular example that I would like
23 to use here is the case of an individual who early in
24 his life was in the Navy. He came out and
25 essentially became a carpenter's apprentice and then

1 worked his lifetime as a carpenter.

2 The individual sources of exposure here
3 were 5 in his history, that was he worked as a boiler
4 tender between the years of 1944 and 1946. For a
5 period of time between 1960 and '61 he was cutting
6 some asbestos cement board in building a cooling
7 tower. He also used vermiculite to mix with plaster
8 over the period of 1955 to 1961. It is a similar
9 exposure but cutting shingles, asbestos cement
10 shingles between 1950 and 1960, and then finally the
11 exposure that he might have had as a result of
12 drywall construction.

13 Dr. Rasmuson gave you the data on exposure
14 from Monte Carlo analysis for drywall tapers, and you
15 will see how I use similar data to that.

16 Doing just the exposure dose calculation
17 in this case, the Navy, and I do it on a worst case
18 scenario basis and do it in a fairly simplistic
19 fashion because I find that I can explain it better
20 to juries if I can get it down almost to sound bites
21 and small categories like this.

22 But, the Navy exposure I attributed a .1
23 fiber per cc over a 2-year period for a total dose of
24 .2 fiber years per cc. And in going on down, you see
25 the various attributions here. But, particularly the

1 drywall exposure I use the upper end of the range on
2 that, again, for a worst case scenario of 10 fibers
3 per cc. He did it in 50 homes, 5 hours per home, so
4 his total cumulative exposure here was about
5 two-and-a-half fiber years per cc.

6 The largest contribution of which, just
7 based on an exposure dose analysis, is the drywall
8 application. Now, what I would conclude from this,
9 of course, if I stopped here, is that he did have
10 sufficient exposure or sufficient minimum exposure
11 for the mesothelioma to be asbestos related, and if I
12 looked at it just on the basis of exposure dose
13 alone, I would attribute a good portion of his -- the
14 attributable risk here to the drywall installation.

15 But let's take a further refinement of
16 this model. And that is a risk assessment based on
17 latency. This is commonly called the Peto analysis
18 in the world of asbestos litigation, at least.

19 It was -- the mathematics of it were shown
20 in a paper by Morgan in around 1988 that he tongue in
21 cheek called who done it, or assessing liability in
22 asbestos litigation. And what this says is is that
23 the risk is proportionate to the period between when
24 the diagnosis for mesothelioma occurred and the
25 initial exposure for that particular individual to

1 asbestos raised it somewhere in the range of the
2 third to the fourth power.

3 In applying this, we used three for
4 chrysotile exposures, four for amphibole exposures,
5 or some people used just an average of 3.5 for mixed
6 exposures. This acknowledges what we have seen in
7 the epidemiological literature that early exposures
8 contribute more to the risk of mesothelioma.

9 If we applied this to the case of the
10 individual in this case, the relative risk, just
11 based on those latencies from the diagnosis of
12 mesothelioma in the year 2000 and the early exposure
13 periods in the Navy and drywall and so forth, again
14 the relative risk looks like the drywall exposure's
15 the biggest contributor to this individual's risk of
16 mesothelioma.

17 The others, again, based on the wide time
18 frames and so forth for the asbestos cement siding on
19 the house, gives a large relative risk as well.

20 But then we take it a step further. This
21 is a risk assessment model that was used, it was
22 proposed initially by Dr. Nicholson, it was used by
23 OSHA in their risk assessment for asbestos to
24 determine the permissible exposure limit, and what
25 this says is that the absolute risk of mesothelioma

1 is proportionate to the exposure intensity as well as
2 the latency raised to the third power.

3 There are few refinements of this, of
4 course. Some people say that the minimum latency is
5 10 years, so you need to subtract 10 from the latency
6 that is calculated here.

7 But for the few epidemiological studies
8 that we have that show a dose response relationship
9 for mesothelioma, the proportionality factor here has
10 been estimated about 10 to the minus 8.

11 So again, taking this same example and
12 applying it to the individual that we have used
13 before, the slight difference and nuance of this in
14 this application is that you will notice that the
15 intensity numbers that I am using here are different.

16 They are not different for the Navy
17 because that was a fairly continuous exposure, but in
18 the case of the cutting of the asbestos cement board
19 here and here, what I used was the dose, the total
20 dose that I calculated, divided by the number of
21 years. In this case it was .4 fiber years per cc,
22 but it is divided by only one year, so that is the
23 average exposure intensity in fibers per cc. Here
24 you are dividing it over a 10-year period the same
25 dose, but it is -- the intensity average and

1 intensity over that period of time is lower.

2 This is necessary to do because the -- if
3 you don't, the numbers get skewed on this. And
4 again, note where I used a 10 for the intensity for
5 the few months or the 50 homes that he did drywall
6 work in, if you attributed over that entire duration,
7 the average intensity over that duration is 0.7.

8 So now we begin to see a slight shift in
9 the relative risk of mesothelioma using this
10 particular model. Now the drywall element of this
11 exposure goes down as a relative contributor, and the
12 Navy portion of it goes up somewhat.

13 The next refinement of this model,
14 Dr. Rasmuson mentioned that we have interesting
15 information about the potency of various fiber types
16 to cause mesothelioma. I don't think that there is
17 any doubt in anyone's mind that there is a different
18 potency or certain variability by fiber type.

19 The best estimate that we have from this
20 comes from a fairly recent article of Hodgson and
21 Darrington, and they say that the relative potency by
22 fiber type between the fibers ranges from 1 to 100
23 between chrysotile and amosite -- they didn't mention
24 tremolite, but it is in the same category -- and 1 to
25 500 between chrysotile and crocidolite.

1 So using this information we can refine
2 our model somewhat further. And in this case now,
3 say that the risk of mesothelioma is proportionate to
4 not only the exposure intensity and the latency
5 cubed, but also the potency of the fiber type
6 involved.

7 Applying that particular model, the chart
8 becomes larger, the numbers become smaller, and I
9 apologize to those of you in the back of the room,
10 hopefully you can read some of it, at least.

11 We have an interesting situation because
12 of the fiber types. Most of the fibers here in the
13 cutting of asbestos cement board, and in the drywall
14 we are talking about chrysotile where we attribute a
15 potency of one.

16 On the other hand, in the Navy we have a
17 mixed exposure with amosite, and the vermiculite
18 exposure is to tremolite where we would put an
19 exposure potency of a hundred.

20 When you run the calculations using this
21 particular risk model, things change very
22 dramatically, the two contributors, the two largest
23 contributors in terms of risk to this individual's
24 mesothelioma were the Navy exposure out here, and the
25 vermiculite exposure that he had.

1 Primarily as you can see it is due to
2 latency and potency as opposed to the intensity
3 element of it. Based on this, I conclude, at least,
4 that exposure dose estimates alone are not sufficient
5 for attributing risk and doing relative risk
6 attribution in mesothelioma cases. As they are, it
7 is sufficient in lung cancer and asbestosis cases.
8 The latency and potency of the fiber type are very,
9 very critical factors and oftentimes the most
10 critical factors.

11 And then finally it is my opinion that all
12 factors must be considered in the risk assessment for
13 mesothelioma cases to get an adequate idea of the
14 relative contribution of the individual components of
15 the exposure.

16 Thank you so much.

17 (Applause.)

18 FRED BOELTER: I am going to talk about
19 two cases, one involves a historical exposure
20 assessment similar to the previous speakers where we
21 are looking back in time using information gleaned
22 from interviews as well as depositions or studies,
23 and ultimately calculating a total lifetime dose.

24 Another study I am going to share is more
25 contemporary experience where it is not unusual that

1 asbestos is in buildings today, and people encounter
2 it accidentally. And I will show how to use the same
3 concept of dose reconstruction to determine a dose
4 associated with that to communicate the significance
5 of the exposure and the risk associated with it.

6 What we have developed is software to be
7 able to look at a dose reconstruction. It is built
8 on the principles that all the other speakers have
9 discussed; namely, the establishment of exposure
10 events and the building of a timeline.

11 What is shown here is a small portion of
12 the discrete events. Each line is called an exposure
13 event, and it has a start date and a stop date and
14 thus a total number of days. For a default value in
15 determining the number of equivalent years between a
16 start and a stop date on a calendar is 250 days. So
17 250 work days per year equals one year for the
18 purposes of doing a fiber year calculation when
19 looking at an occupational experience.

20 So what we do is in looking at the
21 person's work history, develop this timeline; namely,
22 what was their first employment or engagement with
23 asbestos, through to their most recent or last one.

24 Each timeline is either defined by the
25 period of time that the person was employed for a

1 particular employer, or it is defined by specific
2 activities that are performed at that employer. So
3 this summary table is the employment periods.

4 For each exposure event, therefore, each
5 line that I showed on the previous chart, is an
6 exposure event form. This will contain the name of
7 the employer, the location. In this particular case,
8 it was a deposition source. So the location
9 specifically in the deposition where that information
10 was contained, where the employer was located,
11 information related to the activities, and the nature
12 of the activities, in this case, the renovation of
13 homes, where those were located. And then the
14 individual activities that were performed for this
15 exposure event, therefore -- or the activity was the
16 working on renovating homes, but there were a series
17 of different specific activities that could have an
18 exposure associated with them while doing this work,
19 such as cutting through flooring, pulling cable,
20 cleaning up, removing insulation, cutting through the
21 ceiling. Each of these are specific activities that
22 have to do with this exposure event.

23 What we also have is links to literature
24 so that there is a basis for each entry in the
25 process of building this timeline. For each of those

1 activities that I showed on the previous chart, there
2 is going to be a specific activity information
3 summary.

4 The information, for example, cutting
5 through the floor, there will be a description of
6 what that activity involved. There is an attribution
7 to a particular type of manufacturer material or
8 specific manufacturer. There will be information
9 entered, if it is known, about the composition of the
10 material in terms of the fiber type. The general
11 categories are amosite, crocidolite and chrysotile,
12 as the previous -- several speakers discussed the
13 potency differences between these fiber types.

14 There is also information entered about
15 the proximity, whether the person performed the work,
16 whether they were near the work, or whether they were
17 around the work as the concentrations will vary
18 depending upon the proximity.

19 And then we begin the process of
20 estimating the amount of time during the day. The
21 individual might say well, you know, it was somewhere
22 between 5 and 15 percent of the day, or there might
23 be some other type of information that we will
24 utilize to come up with a time estimate, realizing
25 the exposure event was an annual experience. Looking

1 at the activities, it is a daily experience.

2 So during the day there is some portion of
3 the day that is directed toward this activity that
4 was described as cutting the hole through the floor.
5 It is clearly not an all-day activity, some portion
6 of the day. So that information would be entered
7 here.

8 The frequency is going to be the number of
9 hours per day, not in terms of the percent of the
10 day, but whether it was an eight-hour workday, a
11 twelve-hour workday, a ten-hour workday, we need to
12 adjust the equivalent number of years that that would
13 represent, and thus adjust accordingly the number of
14 fiber years calculations.

15 There might be information about the
16 frequency per week, it might be five days a week, it
17 might be only one day a week. It might be once every
18 two weeks, in which case the time that would be
19 entered would be .5.

20 Then we are going to estimate the
21 eight-hour time-weighted average if the person were
22 to have performed the job all day long, as if it were
23 an eight-hour time-weighted average. That will then
24 be adjusted based on the percent of the day that the
25 person actually performed the work.

1 If there is information on the attribution
2 of a specific material, realizing there are a number
3 of manufacturers of the same type of product, if
4 there was a specific interest in looking at a
5 manufacturer's material, we can enter the percent of
6 use that that particular manufacturer represented.

7 We do this for each activity. Each
8 activity for each event. So, this process is a
9 cumulative one.

10 We have links to a library of data sources
11 that allow as a basis for either the estimates of
12 time, the estimates of concentration, the duration of
13 the activity, the content of the material. So at
14 each step in the process, if there is a linkable
15 reference, we can link to it.

16 By then clicking on that particular
17 reference, we can call it up out of the database. We
18 have approximately 1200 specific references in our
19 database.

20 When we then go back to looking at the
21 event summary, we have the individual activities with
22 the event, and we can take a look at the effective
23 mean dose associated with this specific event. Along
24 the way it is calculating and recalculating the dose
25 as the information is updated.

1 This total dose is then reflected on the
2 first sheet that I had shown you, which are the
3 individual line items, and there are many of them,
4 which are -- each are called an exposure event, which
5 when added together form a cumulative dose that we
6 call an effective median dose, in this case, it is
7 about 24 fiber years for this individual's total
8 dose.

9 We also can perform a Monte Carlo analysis
10 on this accumulation of information. It is analyzing
11 the variability associated with time, variability
12 associated with concentration, variability associated
13 with the estimates that are being used in this
14 reconciled reconstruction of a person's work history.

15 The output of the Monte Carlo analysis, as
16 Dr. Rasmuson spoke, is a probability distribution
17 with a mean in this particular case of about 27 fiber
18 years. So 95 percent confidence -- 90 percent
19 confidence, the range for this individual was between
20 24 and 29, almost 30 fiber years for a cumulative
21 lifetime dose. And this is built on the systematic
22 slicing up of the information into component parts
23 where we can provide estimates of time and exposure
24 through concentration.

25 There is also an output from the analysis

1 to look at the statistics of the inputs and outputs
2 as well as a sensitivity analysis on which of the
3 particular inputs had the greatest variability
4 associated with them and thus would influence the
5 results most significantly.

6 So not only do we get an output in terms
7 of a range, we also get an analysis on which
8 particular input variables effect the output the most
9 significantly. And this is that sensitivity
10 analysis; and it says in this particular case, it
11 says that this particular activity, which you can go
12 back to the chart, was the highest ranked as having
13 the greatest influence on the results.

14 As a result of having this, you can go
15 back to see whether you can refine the results or
16 refine the input more carefully, or whether it just
17 happens to be the activity for which we have the
18 least amount of information.

19 There are various outputs then that would
20 be produced in terms of a report. This is a summary
21 of the references that were used in compiling the
22 basis for the ultimate dose calculation.

23 A dose analysis summary, which looks at
24 the individual's work history in terms of
25 chronological time, this being the oldest exposure,

1 this being the most recent exposure, and looking at
2 the time period during which the greatest exposures
3 occurred, and looking at the significance of the
4 exposure in terms of the height of the bar.

5 We also have an event and activity summary
6 output. So for each of those line item entries is a
7 generation of report which looks at the individual
8 activities and the inputs associated with that, as
9 well as the specifically cited sources.

10 And then finally we have a reconstruction
11 summary output that looks at the significance of a
12 particular exposure with respect to a product as well
13 as the manufacturer. So through this process we can
14 systematically compile a person's timeline, develop a
15 work history through event, exposure event
16 compilations, and output that information in terms of
17 product type, period of time, or activity that was
18 performed on those individual products.

19 Well, that is a historic reconstruction.
20 Let's talk about one that is a more contemporary one.
21 In this particular case, an individual was putting in
22 a fire annunciator system and didn't realize that the
23 acoustical plaster that was on the ceiling was
24 asbestos-containing. What the individual did was
25 drill holes through the ceiling accidentally, and the

1 activity occurred for some period of time, and once
2 it was discovered it was stopped, but nevertheless,
3 the individual was very concerned in wanting to know
4 when they were going to develop cancer as a result of
5 having been exposed.

6 Now as industrial hygienists, intuitively
7 we know how to answer that question, but the
8 objective here was to put some science and
9 mathematics behind determining what the dose was of
10 the event.

11 And we can use the same process to be able
12 to do that. We look at the construction incident as
13 an exposure event. So this incident is the exposure
14 event. It was composed of specific activities, in
15 this case cutting through the ceiling. It was an
16 activity that through interview was determined to
17 have taken a specific amount of time. However, there
18 was a range associated with the time. Well, I think
19 it was at least this long and I don't think it was
20 any longer than this. That defined the range of the
21 time.

22 The acoustical plaster was able to be
23 sampled, it actually was inventoried as part of the
24 building record, and so we knew what the material was
25 composed of. We were able to compile then an

1 activity description of drilling the three-quarter
2 inch holes into the ceiling. We knew what the -- we
3 knew it was a 15 percent chrysotile material. We
4 knew that the person was working with the material.
5 We knew that it took somewhere between 3 and 12
6 percent of the day, an 8-hour day, 5 days a week,
7 except it was 1 day that this activity occurred.

8 We referenced back to a specific article
9 since we weren't there to measure it. This is the
10 article that was referenced. Having to do with a
11 sprayed material, it seemed to be the closest fit to
12 the description of the activity. And here is the
13 link to that specific article.

14 The calculated dose then from drilling a
15 hole through the ceiling for the period of time that
16 it was described to have taken was a minimum dose of
17 .000002 fiber years.

18 With that -- when we go back to the first
19 page where that is shown, it is too small to be able
20 to be shown in the effective dose, but we were able
21 to do a Monte Carlo analysis on that and demonstrate
22 that based on the inputs, these variable inputs, that
23 the range was between about 6 and 17 to the minus 6
24 fiber years of dose associated with that specific
25 event.

1 This is helpful in being able to
2 communicate the significance of the event. Clearly
3 it is not something we want people doing from a
4 preventative standpoint, but when these occur, and
5 they do occur, there is a mechanism to be able to
6 reconstruct that event and communicate effectively
7 with the individual about the significance of the
8 event. We can do a similar summary on that as well
9 as a detailed statistical analysis and a sensitivity
10 analysis as well to determine whether it is a close
11 fit.

12 With that, I would like to thank all of
13 you for your participation. We have some time for
14 questions and answers. And I appreciate all of you
15 showing up on the morning to participate in this
16 experience.

17 Are there any questions?

18 Yes.

19 MORTON CORN: Would you entertain a
20 comment?

21 FRED BOELTER: Please, Dr. Corn.

22 MORTON CORN: I am Morton Corn, Professor
23 Emeritus Johns Hopkins University.

24 I think there is a very important
25 philosophical component to discussing these

1 techniques, and I would like to briefly elaborate on
2 that.

3 Retrospective exposure assessment had its
4 roots in epidemiologic studies, and I was privileged
5 to be involved in many of those early ones, where we
6 worked with a cohort of workers to address the
7 question, is there a dose response curve, and these
8 studies involved 18,000 workers, 5,000 workers.

9 We had anchor points for exposure with
10 time in the same facilities, and the challenge was to
11 fill in the missing years and the missing exposures
12 which could be correlated with technological change
13 usually, and that became known as the job exposure
14 matrix and retrospective exposure assessment. And
15 the techniques were extraordinarily useful because
16 they did, indeed, focus on some thresholds where
17 disease was recognized by the epidemiologist. We did
18 have to pool our data into classes to correlate, very
19 low exposure, low exposure, medium, high. The data
20 were not usually good enough for the individual
21 correlation.

22 What we have been talking about today is
23 not that. And I think that is science and is judged
24 as science. We have been listening to that technique
25 reversed in response to the legal arena. We have

1 been asked to take retrospective exposure for an
2 individual, not for a cohort, and to use the
3 techniques developed for a cohort to answer questions
4 in the legal arena in the dispensing of justice. And
5 those questions are to be answered with a more likely
6 than not, or a high degree of scientific uncertainty
7 to the individual performing the exposure analysis.
8 And the question is usually, since the -- in the
9 asbestos arena, the cohort studies have given us, I
10 believe, a threshold for fibrosis, and a threshold
11 for lung cancer, and a suggested threshold for
12 mesothelioma. We are being asked was the exposure
13 consistent with those guidelines, do we believe the
14 exposure could cause the disease, because there is a
15 lot of argument about what fibrosis is, and there is
16 a lot of argument if the lung cancer is due to
17 smoking or to asbestos. So the first question is,
18 was the threshold passed.

19 Second question we are being asked with
20 the presentations given this morning is what is the
21 assignment of damages, assuming that the disease is
22 the manifestation of the totality of exposure.

23 In doing that, and I think we have heard
24 some very good utilizations of the exposure
25 assessment methodology, but I think we should be

1 aware that not only is this a science and an art, I
2 think it is an art and a science. We have drawn on
3 some of the science to persuade juries or judges of
4 the answers to those two questions.

5 We are using data for individuals not in
6 those places where they worked. We all know the
7 variability of the workplace. We have heard some
8 point estimates which I think we just cannot give.
9 The variability is essential to the data we assume,
10 and it is even greater when you realize that data is
11 not for the establishments for the individuals
12 involved.

13 So uncertainty is absolutely critical in
14 all of this for the integrity of the presentation.

15 I believe some of the methodologies given
16 have the capacity to fool us with the specificities
17 and the readouts of the computer. Bill, for
18 instance, is drawing on assumptions that are hot
19 arguments. Fiber type is still not accepted, Bill.
20 And while I would agree with you, you have got a big
21 persuasion argument with the assignment of factors.

22 Peto's time analysis is still not totally
23 accepted.

24 The bottom line for what I am saying is,
25 we are going to be faced in the courtroom with one of

1 us on one side and one of us on the other side
2 presenting these arguments one to the pleasure of the
3 Plaintiff and one to the pleasure of the defense, and
4 the stakes are not only individual credibility but
5 the credibility of our field. Do not oversell these
6 methods.

7 I think the progress I listened to here
8 today was superb and I think some of it was literally
9 the state of the art of doing this. But as the
10 practitioners, we should recognize just how soft much
11 of it is and that we are in an arena to persuade.
12 This isn't science. Thank you.

13 (Applause.)

14 FRED BOELTER: Thank you. Do any of the
15 panelists wish to comment?

16 ALLEN ROGERS: Allen Rogers from
17 Australia --

18 FRED BOELTER: Excuse me just one minute.
19 Just a minute. Dr. Fowler is going to have a
20 comment, thank you.

21 DOUG FOWLER: Dr. Corn's comments are
22 similar to those that I have made in court under oath
23 on occasion in that there is always grave uncertainty
24 about attribution of exposure of individuals 40 or 50
25 years ago when the only information about that